

# Minutes of the Veneta City Council

## November 13, 2006

### Council

Present: Mayor T. J. Brooker, Darrell Carman, Thomas Cotter, and Sharon Hobart-Hardin

Absent: Marion Esty

Others: Ric Ingham, City Administrator; Margaret Boutell, Community Services Directory, Sheryl Hackett, City Recorder; Darci Henneman, Assistant City Recorder; Kyle Schauer, Public Works Superintendent; Brian Issa, Planner, Amie Collins, Program Coordinator; Tami Sakany; and Jeneca Jones, West Lane News

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Mayor Brooker called the Veneta City Council meeting to order at 7:00 p.m.

### 1. PUBLIC COMMENT

**Gifford Tallmadge, 88352 Ellmaker Rd., Veneta, OR;**

Mr. Tallmadge Council members, City staff and the public to the 23<sup>rd</sup> annual Elmira Pow Wow which will be February 3, 2007 at Elmira High School. He said this is the only pow wow held on a regular basis in our area. The average attendance is around 2300 annually. He was also asked if the Council would be willing to promote a portion of this culturally diversified event. A full dinner will be served.

Mayor Brooker asked him to give the details of this event to Ric Ingham so he could add it to an upcoming agenda.

**Ron Faust, 25175 Cherry Ln., Veneta, OR;**

Mr. Faust was inquiring about the drainage at the east end of Cherry Lane. He told the Council that the Department of State Lands deemed this culvert inadequate, therefore the culvert needs to be modified. He indicated the City is liable for any damages caused by any inappropriate drainage system.

Mayor Brooker told Mr. Faust to contact Ric Ingham regarding the status.

**Judy Klupenger, 88126 Ruby Jean Ln., Veneta, OR;** indicated she didn't have any comments. This is the first time she had attended a meeting and she was just at the meeting to listen.

**Norman Welch, 25181 Cherry Ln., Veneta, OR;**

Mr. Welch spoke regarding his concerns about the drainage issues on Cherry Lane. He said if a portion of the wing wall was removed it would allow more water flow. He said the property owner where the wing wall is located could take down his portion but he may not get it done as soon as is needed.

Mayor Brooker told Mr. Welch to contact City staff.

**Tami Sakany, P.O. Box 335, Veneta, OR;** invited the Council to the Annual Chamber meeting at the fire station on November 14, 2006 at 7:00 p.m. She informed the Council

their application for grant money from the Oregon Lottery Video Poker fund is in the final review. She thanked the City for their involvement in the writing of the grant.

## **2. CONSENT AGENDA**

**MOTION:** Thomas Cotter made a motion to approve the consent agenda.  
Sharon Hobart-Hardin seconded the motion.

**Vote:** Mayor Brooker, aye; Thomas Cotter, aye; Darrell Carman, aye; and Sharon Hobart-Hardin, aye.

The consent agenda as approved included minutes for the October 23, 2006 regular Council meeting.

## **3. PUBLIC HEARING A-3-06 - PERKINS ROAD - AMENDMENTS TO COMPREHENSIVE PLAN & ZONING MAPS - Request for expansion of the Urban Growth Boundary for the extension of Perkins Road west from Territorial Hwy**

- a. Open Hearing: Mayor Brooker opened the public hearing at 7:10 p.m.
- b. Declaration of Potential Conflict of Interest and Ex-Parte Contacts: None
- c. Staff Report (Margaret Boutell)

The subject property is located at the western terminus of Perkins Road at Territorial Highway and is approximately .36 acres. This potential roadway was approved as part of the Southwest Area Plan (SWAP) on April 10, 2006. After plan approval, the County indicated there was a need for an expansion of the Urban Growth Boundary ( UGB) and City limits to bring the road into the City's jurisdiction. The Oregon Department of Land Conservation and Development (DLCD) agreed with that opinion. Expanding the UGB and City limits requires making findings in compliance with the State Land Use Planning Goal 14, as well as the City's and County's comprehensive plan goals and policies. The Planning Commission approved the UGB expansion at the November 6, 2006 meeting and recommended the Council also approve this amendment. Once both jurisdictions have approved the amendment, and DLCD has acknowledged it, then approval from the County's Planning Commission, as well as the Board of Commissioners is needed. Once these jurisdictions have approved the amendment, the property owner can then submit an application to annex the property through the Boundary Commission. Hayden Homes, is the developer of the parcel. Margaret provided the Council with maps of the subject property and the Burden of Proof documents, which included all findings to make this decision. Margaret said there is an existing gravel driveway where Perkins Rd. will extend across Territorial Rd. The DLCD has already submitted their recommendation. Margaret told the Council that this is a worthwhile thing to do. No written public comments were submitted either for or against this amendment.

Darrell Carman asked if this amendment to the UGB was needed so that the extension of Perkins Rd. would align with existing Perkins Rd.

Margaret said yes, the road will align but a jog in the road, to the west of the intersection of Perkins Rd. and Territorial Rd will be required.

d. Proponents

1. **Roy Hankins, 87584 Trek Drive, Veneta, OR;** Mr. Hankins works for Hayden Homes and indicates that this extension of Perkins Rd. will be the main entrance to the Southwest Area Plan Development (SWAP).
2. **Tami Sakany, P.O. Box 335, Veneta, OR;** Ms. Sakany supports Hayden Homes developing this area.

e. Opponents: None

f. Questions from the Council: None

**MOTION:** Sharon Hobart-Hardin moved to recommend approval of the Comprehensive Designation and Zoning Map amendments based on the recommended findings and public testimony and Thomas Cotter seconded the motion which passed with a 4-0 vote.

h. Close of hearing: Mayor Brooker closed the public hearing at 7:30 p.m.

**4. DEPARTMENT REPORTS**

a. FROM MAYOR/COUNCILORS

- (1) Sharon Hobart-Hardin said the Park Board met and discussed potential for fundraising for the park budget.
- (2) Mayor Brooker indicated that the Neighbors for Responsible Growth (N4RG) held the Veneta area clean up and litter pickup the weekend of October 30, 2006. He wanted to thank them and asked staff to send a letter of thanks.

**5. STAFF REPORTS**

a. PUBLIC WORKS SUPERINTENDENT (Kyle Schauer)

- (1) Kyle Schauer presented his Public Works Activity Report for October, 2006 . He indicated that the booster pump failed at Dogwood Reservoir and had to be replaced. However, the new pump has not been installed but is on hand while they investigate the cause of the failure.

Discussion: Mayor Brooker asked if the pump was under warranty. Kyle said it was not, it is three years old. Kyle said all snow and ice equipment has been tested and sand has been stock piled for the winter. In response to a question from Mayor Brooker, Kyle said the sander has been installed on the truck. In response to a question from Mayor Brooker, Kyle said leaves will be picked up on Tuesdays and Thursday if they are bagged, tied and left at the curb.

Mayor Brooker asked staff to put another notice in the West Lane News to let residents know the City is providing this service. Kyle said that County Transfer & Recycling (CTR) will pick up leaves for those residents who

have garbage service. Kyle reported the pool had a 90% blockage in the drain line. The day the pool was drained to repair the blockage, the pool lifted out of the ground as a result of 2 ½ inches of rain in 24 hours. The pool sustained substantial damage. Kyle does not yet have a cost estimate for the repairs.

In response to a concern expressed by Sharon Hobart-Hardin, Kyle said the pool is securely fenced to keep kids out.

Margaret added that at the first council meeting in December, Staff should be able to inform the Council of the extent of the damage and what recommendation are given by pool professionals.

Mayor Brooker asked if there is visible damage to the piping. Margaret said yes.

b. COMMUNITY SERVICES DIRECTOR (Margaret Boutell)

(1) Stormwater Master Plan Grant Possibility

In October, a Request for Proposals (RFP) to begin a stormwater model and master plan was advertised. It is a limited approach, based on the amount budgeted for FY06/07. It includes only a portion of the City, the area south of Perkins Rd., along the Oak Island channel to the city limits on the east side of the Coven property. The area of concern covers approximately 12% of the City limits/UGB. However, it would include purchase of and training on a stormwater computer model which would be used for the of the Stormwater Master Planning project and modeling of any new development within the City limits.

Since the RFP was advertised, the City received a notice from the Department of Environmental Quality (DEQ) that the City has 18 months to develop a Water Quality Management Implementation Plan to address the Total Maximum Daily Loads (TMDLs). In response to this, DEQ and OECDD indicated they may be offering small grants to agencies required to complete a TMDL Implementation Plan. The TMDL Implementation Plan could be part of the City's Stormwater Master Plan effort, but the funding agency would like to see the proposal up-front before the plan is done and before they will grant any funds.

In response to a question from Mayor Brooker, Margaret said the Stormwater Master Plan includes maps, a model, write up and capital improvement projects.

Thomas Cotter asked if this would be a city wide plan and Margaret replied yes.

In response to a question of Sharon Hobart-Hardin, Margaret said that the RFP needs to be developed prior to requesting the grant. The City would save a lot of money if the Stormwater Master Plan and TMDL plan were done all at once. The total project cost is estimated at \$150,000, \$20,000

from grant money, \$60,000 would be a loan, and \$50,000 would be from System Development Charges (SDC) and fees collected this year, last year and next year. Staff is requesting the approval to apply for the grant and loan from OECDD to complete both the TMDL Implementation Plan and the City's Stormwater Master Plan if the feedback from our Project Intake Form is positive.

Mayor Brooker asked what the cost of just phase one of the stormwater drainage plan would be. Margaret replied phase one's estimated cost is approximately \$34,000 to \$44,000.

Mayor Brooker asked how confident City staff is of the \$150,000 cost to complete the Stormwater Master Plan. Ric indicated that he spoke with staff in other community and it's hard to say what the exact cost will be but Margaret doesn't think it would go over \$150,000. Mayor Brooker asked if the plan will be written by the city engineer or someone else. Margaret said she thought the city engineer would apply for the project but it will be a contract. Mayor Brooker asked if this was outside his normal engineering function. Margaret replied yes.

Sharon Hobart-Hardin encouraged the City to do this project sooner than later and Mayor Brooker agreed. Ric indicated that first, the City will need to be invited to submit a full application. Mayor Brooker confirmed that the \$50,000 is the City's contribution and is already funded from this year's and last year's SDC funds and stormwater fees. To repay the loan, some stormwater funds would be necessary to use.

**MOTION: Thomas Cotter made a motion to authorize staff to apply for an OECDD grant and loan to complete both the TMDL Implementation Plan and the City's Stormwater Master Plan. Sharon Hobart-Hardin seconded the motion, which passed with a vote of 4-0.**

- (3) Local Improvement District (LID) - E. Bolton Road Sanitary Sewer  
Margaret informed the Council that installing sewer on E. Bolton Rd. Is on staff's work plan for this fiscal year. Pursuing this project in a timely manner requires that it be bid in the winter months or early spring. To meet this time line, the Council would need to initiate a Local Improvement District (LID) in the near future to assess benefitted properties for the cost of the sewer improvement. Before the City Engineer begins the design, it would be helpful to know how the property owners view the project. She suggested the Council set a date for public hearing at the December 11, 2006 Council Meeting and staff would send a letter to benefitting property owners informing them of the hearing. The City Engineer would provide a "best guess estimate" to go forward with designing the project. If two-thirds of the property owners remonstrate or object to this project, which occurs after the design and bidding have taken place, the project would not be built this year. That means the design and bid expense would be incurred by the City but could not be repaid by the assessment in this fiscal year. The estimated cost that is possibly

unrecoverable to the City if the LID is remonstrated and/or not done in this fiscal year is \$17,528. There is approximately 23 to 26 homeowners effected by this LID.

After a brief discussion, Mayor Brooker suggested that he is in agreement with the process and that Council allow the City staff to schedule a public hearing for December 11, 2006.

**MOTION: Sharon Hobart-Hardin a motion to direct staff to proceed with the process outlined for the E. Bolton Rd. Sewer LID project. Thomas Cotter seconded the motion, which passed with a vote of 4-0.**

(4) Planning Commission Quarterly Report - 3<sup>rd</sup> Quarter

Brian Issa presented the above report to the Council. There were no questions or comments from Council.

b. CITY ADMINISTRATOR

County Transfer & Recycling (CTR) Roll Cart Proposal

Ric advised the Council that Country Transfer & Recycling (CTR) is requesting a modification to its current franchise agreement. They are proposing a rate increase but adding a roll-cart recycling program. The increase will be greatly reduced. In addition, CTR would be requesting the City to extend its franchise agreement.

Darrell Carman asked Ric if the Council will be voting on the entire package that CTR is proposing to the City. Ric said the Council doesn't have to accept the whole package but that Mr. Johnson just wanted his increase to be discussed this fall.

Mr. Johnson said the overall increase in costs he is experiencing is approximately 21%. The increase he would pass onto the City would be 2.9%, which includes any undetermined increases in the future. To lock in the rates, the City would need to sign the franchise agreement with CTR for another five years. Mayor Brooker asked why it's important to extend the franchise agreement by five years. Mr. Johnson replied because they would be amortizing the cost of the new rolling carts over the next six years. CTR's franchise agreement expires January, 2008.

Mayor Brooker told Mr. Johnson that his proposal sounds like a good deal for the City but what is the increase for residential customers. Mr. Johnson said the increase to residential customers is 47 cents.

Mr. Johnson said his target goal is to increase recycling by 30%. Sharon Hobart-Hardin suggested some sort of an educational program perhaps at the library and at the schools. Mr. Johnson has talked to a master recycler and is developing new brochures and a revised route.

Sharon Hobart-Hardin suggested that another public meeting be held to offer anyone a chance to comment.

In response to a question from Darrell Carman, Mr. Johnson would like to start using the rolling carts in February, 2007, but he needs time to order them and does not want to incur the expense of the rolling carts if the City isn't going to renew his franchise agreement.

All Council members felt CTR provided a much needed and valuable service but felt they may be doing a dis-service to the community by making the decision to renew CTR's franchise agreement without public input and not allowing the opportunity to other garbage/recycling providers the chance to comment. Therefore, after considerable discussion among the Council, it was decided to postpone the discussion until the next Council Meeting of November 27, 2006 to give the public the opportunity to comment.

(2) 2006-07 Rural Tourism Marketing Plan

Lane County has notified City staff that this year's Rural Tourism Marketing distribution totaled \$5,345. City staff has identified this year's RTMP allocations. Ric asked the Council to adopt the proposed project activities and authorize the staff to submit the 2006-07 RTMP application to the county. Ric also said funds were set aside to get a Farmer's Market off the ground.

**MOTION: Sharon Hobart-Hardin a motion to direct staff to proceed with the submission of the 2006-07 RTMP application to the County. Thomas Cotter seconded the motion, which passed with a vote of 4-0.**

(3) Work Plan Review & Discussion

Staff recommended that the work plan be brought back to Council for review every couple of months. Jerri, Margaret and Ric have updates. Ric provided an overview of fiscal activities completed. The fiscal administration is on track and the auditors will be here the week of November 13. All journal entry deadlines have been completed. Sheryl completed the codification of ordinances and Ric asked the Council to bring in their ordinance binders so the updates can be inserted. Margaret said that the City has planned for two test wells and if those two wells pan out, the city won't have to purchase additional land to drill other wells.

Ric told the Council that Veneta is still budgeted to share a part time deputy with the City of Creswell. Darrell Carman asked if they were looking for a half time deputy too. Ric said yes, at this point the proposal would have us sharing one full time deputy with Creswell. Veneta has three deputies and Creswell has two deputies.

Ric also informed the council that economic development activities are moving along. The new industrial park is almost finished. Ric proposed a ribbon cutting this spring and to possibly get our congressional folks and funding partners to attend this event. Staff will be working on this.

Ric told the council that the Oregon Department of Transportation

(ODOT) rejected the City's proposal in signing over the property on Luther Lane and would like to do some sort of settlement. Margaret reported that the transportation update model that LCOG did for the East Veneta Study will be useable for the transportation SDC update. The Pine Street contractor has been hired but because the rain has started, the City has lost the work window to get the bridge work completed, which may not happen now until July, but the contractor has guaranteed the contract price. Council had no questions or comments.

(4) Defeat of Public Safety Measure

Ric expressed his concerns about measure not passing and what it will mean to the City, and urged the Council to be engaged. He suggested the Council to possibly looking into buying jail space. There have been several serious burglaries in the area and there's not much to deter them.

Mayor Brooker said he was surprised the measure was so close and agreed that the problems are serious, especially drug and crimes connected to drug use. The City will continue to pay for its part by contracting with the county, but money we're spending comes out of the general fund. Mayor Brooker asked the Council to think about drafting a letter. Sharon Hobart-Hardin understands that they are going to be reviewing the feedback and why people voted no and suggested maybe waiting until the data comes out and then review it. Mayor Brooker agreed. Ric again asked the Council not to let this matter just drop off.

Sharon Hobart-Hardin said she would like the Council to hold a goal setting session in January. Mayor Brooker asked if they should have a retreat. Ric said that it was two years ago when they had a goal session and Dick Townsend came to facilitate that meeting at the community center. Ric said that doing the meeting in January allows items to be rolled into budget discussions. Mayor Brooker wants to get this decided because it's an important process.

(5) Surplus Property Discussion

Sue Hallett from St. Thomas Becket Catholic Church approached the City several months ago inquiring about the Greenway that impacts the church's property. They would like to consolidate their property and perhaps swap property with the City. In addition, property on Bolton Hill Road west of the Bowling Green subdivision is proposed as surplus. Ric thinks the swap would benefit both parties.

Mayor Brooker asked if this property is the steep property, dedicated to the City by the developer of the Bowling Green. Margaret said it's pretty flat. In response to a question from Darrell Carman, Ric replied that it is bare land.

**MOTION: Thomas Cotter made a motion to direct staff to develop the necessary resolution to declare both City parcels as surplus. Sharon Hobart-Hardin seconded the motion, which passed with a vote of 4-0.**



Thomas Cotter asked what the difference is between the church property and the City's well site. By swapping we can add to the public works site and expand the parks and/or both and currently the church can develop on a contiguous property. However, we can't sell any property until it's been declared surplus. Darrell Carman asked if there was any disadvantage of declaring property as surplus and then not doing anything with it. Ric said no. When the City wants to dispose of property, it first must be declared a surplus piece of property. Thomas Cotter asked if once a parcel is declared surplus can it be put back as non-surplus. Ric said yes.

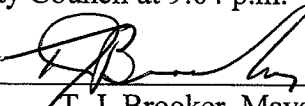
**MOTION:** Thomas Cotter made a motion to direct staff to develop the necessary resolution to declare both City parcels as surplus. Sharon Hobart-Hardin seconded the motion, which passed with a vote of 4-0.

**5. OTHER**


Ric informed the Council that he will be meeting with the city attorney on the cable franchise agreement regarding the micro-wave tower issue. The City is requesting volunteers to help with traffic at the Light Parade and the Christmas tree was put up in difficult conditions.

**6. ADJOURN**

Mayor Brooker adjourned the City Council at 9:04 p.m.

  
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T. J. Brooker, Mayor

ATTEST:

  
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Darci Henneman, Assistant City Recorder  
(minutes prepared by dhenneman)